

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****DECLARATION UNDER 37 C.F.R. § 1.131**

1. The following declaration is directed to establishing the date of the invention claimed in U.S. Patent Application No. 09/881142, filed June 14, 2001.
2. To my knowledge, Paul M. Thomsen (the "named inventor") is the sole inventor of the claims in the above-referenced application.
3. I am a partner at the law firm Knobbe Martens Olson and Bear. I am also a registered patent attorney and was responsible for preparing and filing the above-referenced patent application.
4. From at least October 4, 2000 up until December 1, 2000, I actively worked in the normal course of my docket to finalize and file the above-referenced application.
  - During the period between October 4, 2000 and October 18, 2000 I conducted a patentability search for the invention.
  - On November 12, 2000, I received an Invention Disclosure Form providing a proposal of the invention and an amendment from Paul Thomsen.
  - On November 27, 2000, I provided a draft specification directed to the above case to Paul M. Thomsen, the inventor of the subject invention for review by him, and to Joseph D. Smallwood, Corporate Counsel for Hitachi Home Electronics. The November 27, 2000 specification described the presently claimed invention.
  - On November 28, 2000, I conferred with Paul M. Thomsen regarding the November 27, 2000 draft.
  - On December 1, 2000, I filed U.S. provisional application No. 60/250,835, entitled "System and Method for Selecting Text on Television Display." The '835 application is the priority application for the '142 application.

**Penalty of Perjury Statement**

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

**DRAFT**

Eric M. Nelson, Esq.

2001917  
101805

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****DECLARATION UNDER 37 C.F.R. § 1.131**

1. The following declaration is directed to establishing the date of the invention claimed in U.S. Patent Application No. 09/881142, filed June 14, 2001.
2. I, Paul M. Thomsen (the "named inventor") am the sole inventor of the claims in the above-referenced application. I was an employee of Hitachi Home Electronics while I invented the subject matter of the above-referenced application.
3. I conceived of the invention as early as September 6, 2000, and I diligently worked in conjunction with in house and independent counsel up to file a provisional application on December 1, 2000.
4. From at least September 6, 2000 up until December 1, 2000, in this country I actively worked in the normal course of my workload to prepare and file the above-referenced application.
  - On or before September 6, 2000, I drew a sketch documenting aspects of the invention.
  - On or before September 6, 2000, I provided to Joseph D. Smallwood (Corporate Counsel for Hitachi Home Electronics) an Invention Disclosure Form providing a proposal of the invention.
  - Prior to September 6, 2000, I provided to Joseph D. Smallwood an amendment to the proposal. See Attachment A, which is a copy of the proposal with dates and Hitachi and 3<sup>rd</sup> party proprietary information redacted.
  - On November 12, 2000, I sent the proposal and the amendment to Eric Nelson, of Knobbe, Martens, Olson & Bear, LLP, Hitachi's outside patent counsel.
  - On November 27, 2000, I received a draft specification directed to the above case from Eric Nelson, for review by me, and Joseph D. Smallwood, Corporate Counsel for Hitachi Home Electronics. The November 27, 2000 specification described the presently claimed invention.
  - On November 28, 2000, I conferred with Eric Nelson regarding the November 27, 2000 draft.
  - On December 1, 2000, I filed provisional application 60/250,835, entitled "System and Method for Selecting Text on Television Display."

Penalty of Perjury Statement

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 10001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

**DRAFT**

Paul M. Thomsen

2004556\_1  
101905